

DT14 Re PCT/PTO 2 2 DEC 2004 #2

PATENT  
ATTORNEY DOCKET NO.: 046124-5344

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
	)	
Haruhisa SAITOH et al.	)	Confirmation No.: Unassigned
	)	
Application No.: 10/516,076	)	Group Art Unit: Unassigned
	)	
Filed: November 29, 2004	)	Examiner: Unassigned
	)	
For: FLUORESCENCE LIFETIME	)	
DISTRIBUTION IMAGE MEASURE-	)	
MENT DEVICE AND MEASUREMENT	)	
METHOD THEREOF	)	

Commissioner for Patents  
U.S. Patent and Trademark Office  
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Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the document listed on the attached PTO Form 1449. This Information Disclosure Statement is being filed after the events recited in § 1.97(b) but, to the undersigned's knowledge, before the mailing date of a Final Office Action, a Notice of Allowance, or another action that closes prosecution in the above-referenced application. Under the provisions of 37 C.F.R. § 1.97(c), a fee of \$180.00 accompanies this Information Disclosure Statement as specified in 37 C.F.R. § 1.17(p).

An International Search Report (ISR) dated August 12, 2003 is attached together with the listed documents. Applicants respectfully request that the Examiner consider the ISR and listed

documents and evidence that consideration by making appropriate notations on the attached PTO Form-1449.

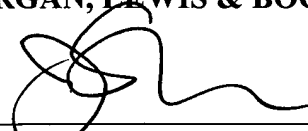
This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If it should be determined that any of the listed documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such document.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

**Except** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**



John G. Smith

Registration No. 33,818

Dated: December 22, 2004

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(Use several sheets if necessary)

PTO Form 1449

Application No.:  
10/516,076

Applicant(s):  
Haruhisa SAITO et al.

Page 1 of 1

Filing Date: November 29, 2004

Group: Unassigned

## U.S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

[illegible][illegible]

	Wang, X.F. et al., "Fluorescence Lifetime Imaging Microscopy (FLIM): Instrumentation and Applications", Critical Reviews in Analytical Chemistry, 23 (5):369-395 (1992)
	Sytsma, J. et al., "Time-Gated Fluorescence Lifetime Imaging and Microvolume Spectroscopy Using Two-Photon Excitation", Journal of Microscopy, 191:39-51 (July 1998)
	Ossler, F. et al., "Two-Dimensional Visualization of Fluorescence Lifetimes by Use of a Picosecond Laser and a Streak Camera", Applied Optics, 37 (12):2303-2314 (April 1998)

**Examiner**

**Date Considered**

**Examiner:** Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication.